

**LAND AUTHORITY GOVERNING BOARD
AGENDA ITEM SUMMARY**

Meeting Date: December 17, 2003

Bulk Item: Yes ☐ No ☒

Department: Land Authority

Agenda Item Wording: Approval to add property to the Acquisition List as affordable housing sites - WetNet property / Village of Islamorada.

Item Background: The Village of Islamorada has nominated the subject property for purchase by the Land Authority and subsequent conveyance to the Village for workforce housing, conservation, and recreation. The site is located between US 1 and the Old Highway on Upper Matecumbe Key at MM 81 and consists of approximately 4.41 acres of land zoned Highway Commercial (HC). The site is partially developed with tennis courts, a pro shop, and a single-family home. The Village proposes to develop the site with 28 units of affordable housing, the details of which will be determined following completion of a workforce housing needs study. The Seller's asking price is \$1,400,000.

The addition of property to the Acquisition List is a preliminary, non-binding step indicating the Board's desire to pursue acquisition. Further Board action is required before entering into a purchase contract.

Advisory Committee Action: On November 24, 2003 the Advisory Committee voted 4/0 to approve adding the property to the Acquisition List, but to postpone any expenditures on the property until the Village provides additional details regarding the proposed development.

Previous Governing Board Action: None

Contract/Agreement Changes: N/A

Staff Recommendation: Approval

Total Cost: \$ To be determined **Budgeted:** Yes ☐ No ☐

Cost to Land Authority: \$ To be determined **Source of Funds:**

Approved By: Attorney ☒ County Land Steward ☐

Executive Director Approval: 

Mark J. Rosch

Documentation: Included: ☒ To Follow: ☐ Not Required: ☐

Disposition:

Agenda Item LA #5b

MAYOR CHRIS SANTE
VICE MAYOR MARK GREGG
COUNCILMAN MIKE FORSTER



COUNCILMAN GEORGE GEISLER
COUNCILMAN ROBERT JOHNSON

November 17, 2003

Mark Rosch
Executive Director
Monroe County Land Authority
1200 Truman Avenue, Suite 207
Key West, FL 33040

RE: Wet Net Property Additional Information

Dear Mr. Rosch:

In response to your request, the following letter will serve to provide an outline of the Village's proposal for the "Wet Net" property.

As we discussed many of the details of this proposal will depend on the outcome of the Village's workforce housing needs study, a research and consensus-building process which is currently underway and has a target completion date of May 2004. Therefore, there are elements of the proposal that have not yet been determined at this time.

1. Nominating Resolution – Islamorada Resolution 03-08-40
2. Location – The site is located between US 1 and the Old Highway on Upper Matecumbe Key at MM 81 in Islamorada, Village of Islands.
3. Legal Description – The site consists of 3 adjoining acreage parcels described by metes and bounds and identified by RE numbers 95920-000100 (Parcel A), 96000-000000 (Parcel B), and 95980-000100 (Parcel C).
4. Size and Condition – Parcel A is 2.90 acres of vacant land in predominately disturbed condition with approximately one acre of hammock area. Parcel B is 0.77 acres and Parcel C is 0.74 acres. Parcels B and C are developed with a single family home, a tennis pro shop, and tennis courts. The total acreage of all three parcels is 4.41 acres.
5. Zoning – The site is zoned Highway Commercial. The list of permitted uses from the Zoning Districts portion of the Village's Land Development Regulations are attached for reference. The maximum number of units that could potentially be built on the site is 52.
6. Proposed Uses – Workforce housing, conservation, and recreation. The specific uses and their locations have not been determined. However, no development will take place in the hammock area.

may convey the property to a non-profit community land trust, if one is established in the Islamorada area.

8. Number of Units - 28
9. Type of Housing (Rental or Homeownership) - To be determined.
10. Target Income Levels - To be determined.
11. Project Design - To be determined.
12. Period of Affordability - To be determined.
13. Affordable Dwelling Allocations - There are no other affordable allocations committed to the "Wet Net" site at this time. There is one existing dwelling unit associated with the single-family house on the site. This may be committed for redevelopment in the future. The Village has reserved 4 allocations from the Plantation Key Yacht Harbor property for affordable housing generally. These allocations could be committed to workforce housing units for this site if deemed appropriate by the Village Council.
14. Extent of Leveraging of Land Authority Funds - To be determined.
15. Affordability Monitoring - To be determined.
16. Seller's Asking Price - \$1,400,000

The Village looks forward to your consideration of the above information.

If you have any questions regarding this issue or would like to discuss this further, please contact me at (305) 664-2345 extension 231.

Sincerely,



Zully Williams
Project Manager

Enclosure

c: Honorable Mayor and Members of the Village Council
Bernie LaPira, Village Manager

EXCERPT: ISLAMORADA, VILLAGE OF ISLANDS LAND DEVELOPMENT REGULATIONS**Section 5.1.16 Highway Commercial (HC) Zoning District****(a) Purpose and Intent**

- (1) The purpose of the Highway Commercial (HC) Zoning District is to accommodate existing businesses along U.S. 1 and to provide opportunities for new commercial retail shops and services that typically are auto dependent and are used by people on less than a weekly basis, or to accommodate the building and service trades. Single or multifamily residential uses are an option to commercial use.
- (2) This zoning district is established within the Mixed Use (MU) FLUM category.

(b) Permitted Uses

- (1) Single family dwelling unit;
 - (2) Attached deed restricted affordable dwelling units;
 - (3) Accessory uses and structures, excluding guest houses;
 - (4) Restaurants less than 1,500 square feet;
 - (5) Low/medium intensity office, retail and service establishments, less than 3,000 square feet, limited to:
 - a. Animal hospital;
 - b. Bakery;
 - c. Boat sales and service;
 - d. Bowling center;
 - e. Building supply store;
 - f. Carwash;
 - g. Commercial recreational facility;
 - h. Courier service;
 - i. Cultural or community center;
 - j. Day care center;
 - k. Dive shop;
 - l. Electronics store;
 - m. Exterminator service;
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- n. Farmers market;
- o. Fence sales and installation;
- p. Food store;
- q. Funeral home;
- r. Furniture repair, (re)upholstery, and sales;
- s. Garden center;
- t. Gym;
- u. Hardware store;
- v. Home furnishing, design and decorating services and retail sales;
- w. Appliance repair;
- x. Landscape services;
- y. Laundry and dry cleaning;
- z. Locksmith;
- aa. Medical offices and supplies;
- bb. Movie theatre (indoors);
- cc. Office supply;
- dd. Pool sales and service;
- ee. Professional services including accountant, administrative and management services, architect, engineer, counselor, interior designer, investment agent, lawyer, and other similar professions;
- ff. Recording/broadcasting studio;
- gg. Sewing supply and service;
- hh. Tackle/fishing shop;
- ii. Visitor center; and
- jj. Video rental;

(c) Uses Reviewed as a Minor Conditional Use

- (1) Any permitted use greater than 3,000 to 5,000 square feet, except restaurants;
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- (2) Docking facility;
- (3) Infrastructure and municipal utility facilities; and
- (4) Plant nursery;
- (5) Restaurants of 1,500 to 3,000 square feet;
- (6) Self service storage facility (indoor); and
- (7) Attached Wireless Facility;

(d) Uses Reviewed as a Major Conditional Use

- (1) Any permitted use greater than 5,000 square feet;
- (2) Bars, taverns, and drinking places;
- (3) Marina redevelopment;
- (4) Night clubs, provided that they are located greater than 200 feet from any residential district; and
- (5) Outdoor storage and display areas pursuant to Division 6.7.

(e) Site Development Standards

- (1) Minimum Lot Area: Not Applicable
- (2) Maximum Building Height: 35 feet
- (3) Maximum Developable Lot Coverage: Not Applicable
- (4) Setbacks
 - a. Front yard: Minimum 20 feet
 - b. Side yard: A minimum of five (5) feet on each side for a minimum combined total of 15 feet for both sides
 - c. Rear yard: Minimum 20 feet
 - d. Rear yard on shoreline: See Division 7.1
- (5) Floor Area
 - Maximum floor area for principal structures: 0.25 FAR or 0.35 with TDRs
- (6) Density: One (1) dwelling unit per acre, or up to 12 deed restricted affordable dwelling units
- (7) Open Space: See Division 7.3
- (8) Landscape Requirements: See Division 5.5
- (9) Parking Requirements: See Division 5.6

RESOLUTION NO. 03-08-40

A RESOLUTION OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, NOMINATING THE WET NET PROPERTY FOR ACQUISITION BY THE MONROE COUNTY LAND AUTHORITY FOR THE PURPOSE OF PROVIDING FOR WORKFORCE HOUSING, AND CONSERVATION AND RECREATIONAL AMENITIES AND FOLLOWING PURCHASE CONVEY THE PROPERTY TO THE VILLAGE; AUTHORIZING THE MAYOR TO ACCEPT THE DEED; AUTHORIZING VILLAGE OFFICIALS TO TAKE ALL NECESSARY STEPS TO ACQUIRE THE PROPERTY; AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Islamorada, Village of Islands (the "Village") desires to begin developing a community workforce housing program within the Village; and

WHEREAS, the Village's CDBG Citizens Advisory Task Force and the Land Acquisition Advisory Committee both voted unanimously to recommend that the Village Council nominate the Wet Net property, legal description provided as Exhibit "A," for acquisition by the Monroe County Land Authority for the purpose of providing for workforce housing, and conservation and recreational amenities and following purchase request that the Monroe County Land Authority convey the property to the Village; and

WHEREAS, the CDBG Citizen's Advisory Task Force Report, dated March 31, 2003, states that the most feasible method to providing affordable housing on a long term basis is through the acquisition of appropriate types of properties; and

CERTIFIED COPY OF ORIGINAL

BEVERLY RADDATZ, VILLAGE CLERK

WHEREAS, the Village Council agrees that the acquisition of the Wet Net property will enable the Village to begin to work with the community to establish a program to provide workforce housing on a long-term basis.

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Nomination of Property. The Village Council of Islamorada, Village of Islands nominates the Wet Net property, whose legal description is attached as Exhibit "A," (the "Wet Net Property") for acquisition by the Monroe County Land Authority for the purpose of providing for workforce housing, and conservation and recreational amenities and following purchase requesting the Monroe County Land Authority convey property to the Village.

Section 3. Acceptance of Deed. The Mayor is authorized to accept the deed for the Wet Net Property on behalf of the Village.

Section 4. Authorization of Village Officials. The Village Manager and Village Attorney are authorized to take all steps necessary to effectuate the acquisition of the Wet Net Property.

Section 5. Execution of Documents. The Mayor is authorized to execute any necessary documents to effectuate the acquisition of the Wet Net Property.

Section 6. Effective Date. This resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Vice Mayor Gregg, who moved for its adoption on first reading. This motion was seconded by Councilmember Geisler, and upon being put to a vote, the vote was as follows:

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Chris Sante	ABSTAIN
Vice Mayor Mark Gregg	YES
Councilman Mike Forster	ABSENT
Councilman George Geisler	YES
Councilman Bob Johnson	YES

PASSED AND ADOPTED ON THIS FOURTEENTH DAY OF AUGUST 2003.



CHRIS SANTE, MAYOR

ATTEST:


VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY


VILLAGE ATTORNEY

VI

EXHIBIT "A"**IDENTIFICATION AND HISTORY OF THE SUBJECT PROPERTY**A. Location and Address:

The subject property is commonly known as 81101 Old Highway, Islamorada, FL 33036.

B. Legal Description:

The following legal description was made available for the subject property:

Parcel "A" - Assessor's Parcel No.: 95920-000100:

A parcel of land on Upper Matecumbe Key, Monroe County, Florida, being a part of Lot 5, according to a map or plat of a subdivision of Government Lots 1, 2 and 4, Section 32, Township 63 South, Range 37 East, and all of Government Lot 1, Section 5, Township 64 South, Range 37 East, made by Geo. L. MacDonald, Civil Engineer, and recorded in Plat Book 1 at Page 41 of the public records of Monroe County, Florida, said parcel being "Tract 2", of Survey of Scarboro & Roberts Tracts according to a map or plat thereof recorded in Plat Book 2 at Page 53 of the said public records, said parcel also being a part of the lands described by deed recorded in Official Records Book 57 at Page 296 of the said public records, said parcel being more particularly described as follows: Beginning at a point on the Northwestern right of way line of Old State Road 4-A the same being the Southwesterly corner of the said Tract 2 of Survey of Scarboro & Roberts Tracts, run N 29° 53' 06" W along the Southwesterly line of the said Tract 2 for 462.45 feet to a point on the Southeasterly right of way line of State Road No. 5, (U.S. Highway No. 1) the same being the Northwestern corner of said Tract 2; thence run N 46° 09' 22" E along the said Southeasterly right of way line for 261.75 feet to the Northeasterly corner of the said Tract 2, the same being the Northwestern corner of the "Amended Plat of Survey of Edney Parker Property" according to the plat thereof recorded in Plat Book 2 at Page 114 of the said public records; thence run S 30° 01' 33" E along the Northeasterly line of said Tract 2 and along the Southwesterly line of the "Amended Plat of Survey of Edney Parker Property", the same being the Northeasterly line of the said Tract 5 according to the said map or plat recorded in the said Plat Book 1, Page 41, for 521.43 feet to a point on the said Northwestern right of way line of Old State Road 4-A, the same being the Southeasterly corner of the said Tract 2 and the Southwesterly corner of the said "Amended Plat of Survey of Edney Parker Property", thence run Southwesterly along the said Northwestern right of way line of Old State

Road 4-A and along the Arc of a curve to the right of radius 597.00 feet for 101.80 feet to a Point of Tangency; thence run S 61°07'13" W along the said Northwesterly right of way line for 153.89 feet to the Point of Beginning of the herein described parcel of land.

Bearings herein above mentioned are Plane Coordinate for the Florida East Zone and are based on ties to the Florida Department of Transportation Second Order Traverse Stations 90-75-A03 and 90-75-A04.

AND ALSO

Parcel "B" - Assessor's Parcel No.: 96000-000000:

That part of Lot 5 according to a plat of part of Government Lot 1, all of Lots 2 and 3 of Section 32, Township 63 South, Range 37 East and all of Lot 1 of Section 5, Township 64 South, Range 37 East as surveyed for Lee Pinder by G.L. MacDonald and recorded in Plat Book 1 at Page 41, public records of Monroe County, Florida, described as follows:

Commencing at a point on the shoreline of the Atlantic Ocean, 615 feet Northeasterly from the dividing line between Lots 5 & 6 of said plat, which point is the Southwest corner of Scarboro & Roberts Tracts, according to the plat thereof, recorded in Plat Book 2, Page 53 of the public records of Monroe County, Florida; thence Northwesterly along the Southwesterly line of Scarboro & Roberts Tracts, 456.12 feet to a point on the Northwesterly line of the Old Highway and the Point of Beginning of the Tract hereinafter described; Thence continue Northwesterly on the same course 462.70 feet to the Southeasterly line of State Road No. 5, (U.S. Highway No. 1); thence Southwesterly along the Southeasterly line of State Road No. 5, 75.45 feet; thence in a Southeasterly direction parallel to the Southwesterly line of Scarboro & Roberts Tract 445 feet, more or less to the Northwesterly line of the Old Highway; thence Northeasterly along the Northwesterly line of the Old Highway 74.01 feet to the Point of Beginning.

Containing: 0.77 Acres, more or less (Deed recital acreage)

Parcel "C" - Assessor's Parcel No.: 95980-000100:

Part of Lot 5 of the MacDonalds Subdivision, according to the plat thereof as recorded in Plat Book 1 at Page 41 of the public records of Monroe County, Florida, more particularly described as follows: From a point on the intersection of the Se'ly right of way of the Overseas Highway and the line dividing Lots 4 and 5 of said Subdivision, proceed in a SW'ly direction along said SE'ly right of way of Overseas Highway for a distance of 413.07 feet to the Point of Beginning.

said Point of Beginning being the NW'ly corner of the property herein described and the intersection of the NE'ly boundary of the Meinzinger Art Colony Subdivision, according to the plat thereof as recorded in Plat Book 2, at Page 84 of the public records of Monroe County, Florida and the SE'ly right of way of said Overseas Highway; From said Point of Beginning turn left through an angle of 75°58' and proceed in a SE'ly direction at the NE'ly boundary of said Meinzinger Art Colony Subdivision a distance of 427 feet, more or less to the Northwesterly right of way line of the Old Overseas Highway, (State Road 4-A); thence in a NE'ly direction along the Northwesterly right of way line of said Old Overseas Highway a distance of 74.27 feet to a point; thence in a NW'ly direction along a line parallel to the SW'ly boundary of the property herein described a distance of 445 feet, more or less to the SE'ly boundary of the right of way of the Overseas Highway; thence in a SW'ly direction along the SE'ly right of way of said Overseas Highway a distance of 76.06 feet to the Point of Beginning.

C. Owner of Record:

According to the Monroe County Tax Assessor's Records, the subject property is owned by:

*Tropic Leisure Recreation Development, Inc.
P.O. Box 2022
Islamorada, FL 33036*

D. Sales History of Subject Property and Current Contracts: According to the Monroe County Tax Assessor's records, the subject property's sales history is as follows:

<u>Sale Date</u>	<u>Property Address</u>	<u>Sale Price</u>	<u>Book/Page</u>	<u>Comments</u>
07/01/1996	81101 Old Highway	\$ 450,000	1418 / 1817	Qualified Sale

The subject property has not been listed for sale and is not presently under contract for sale and purchase according to Mr. William Roberts, owner.

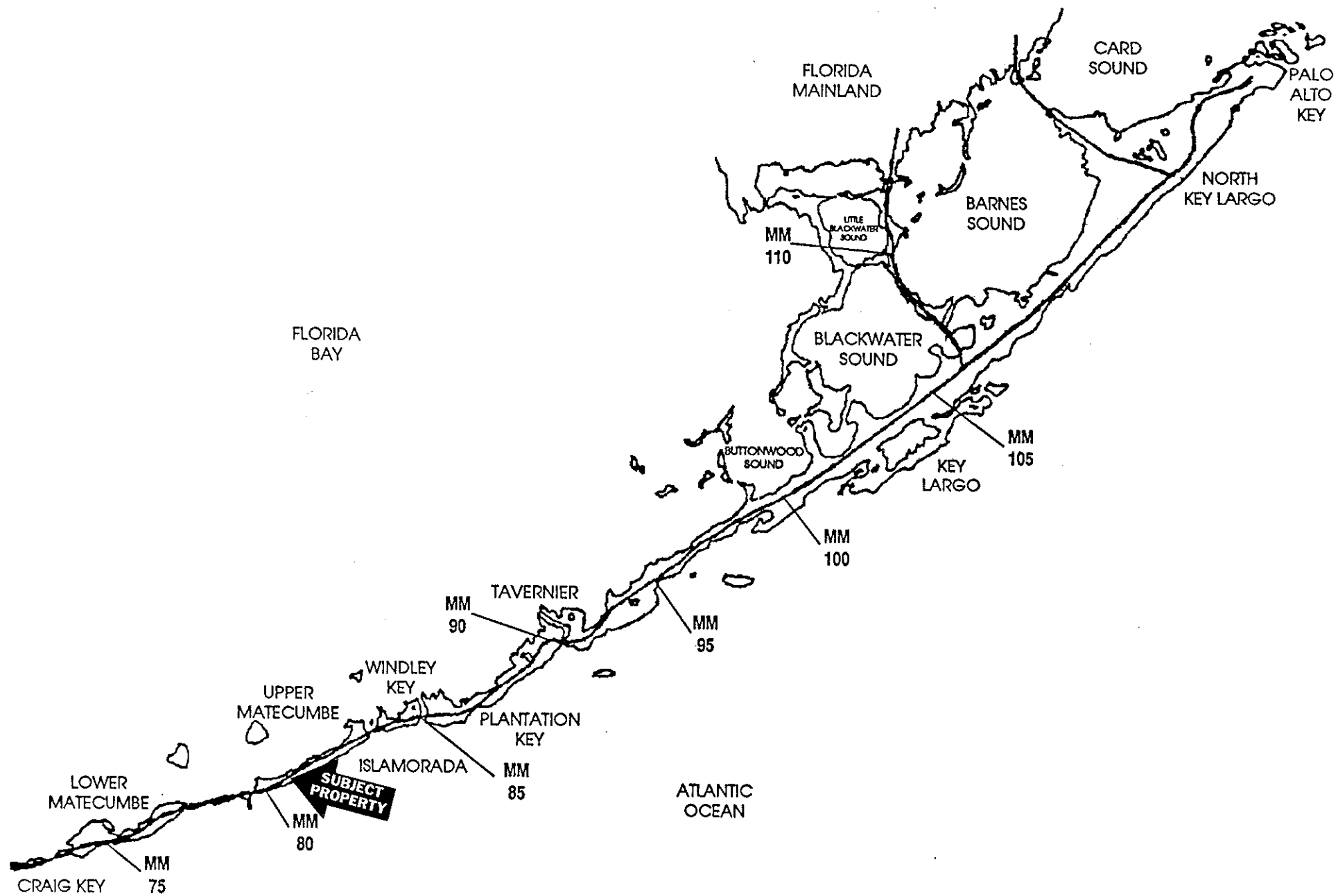
E. History of Subject Property and Operation:

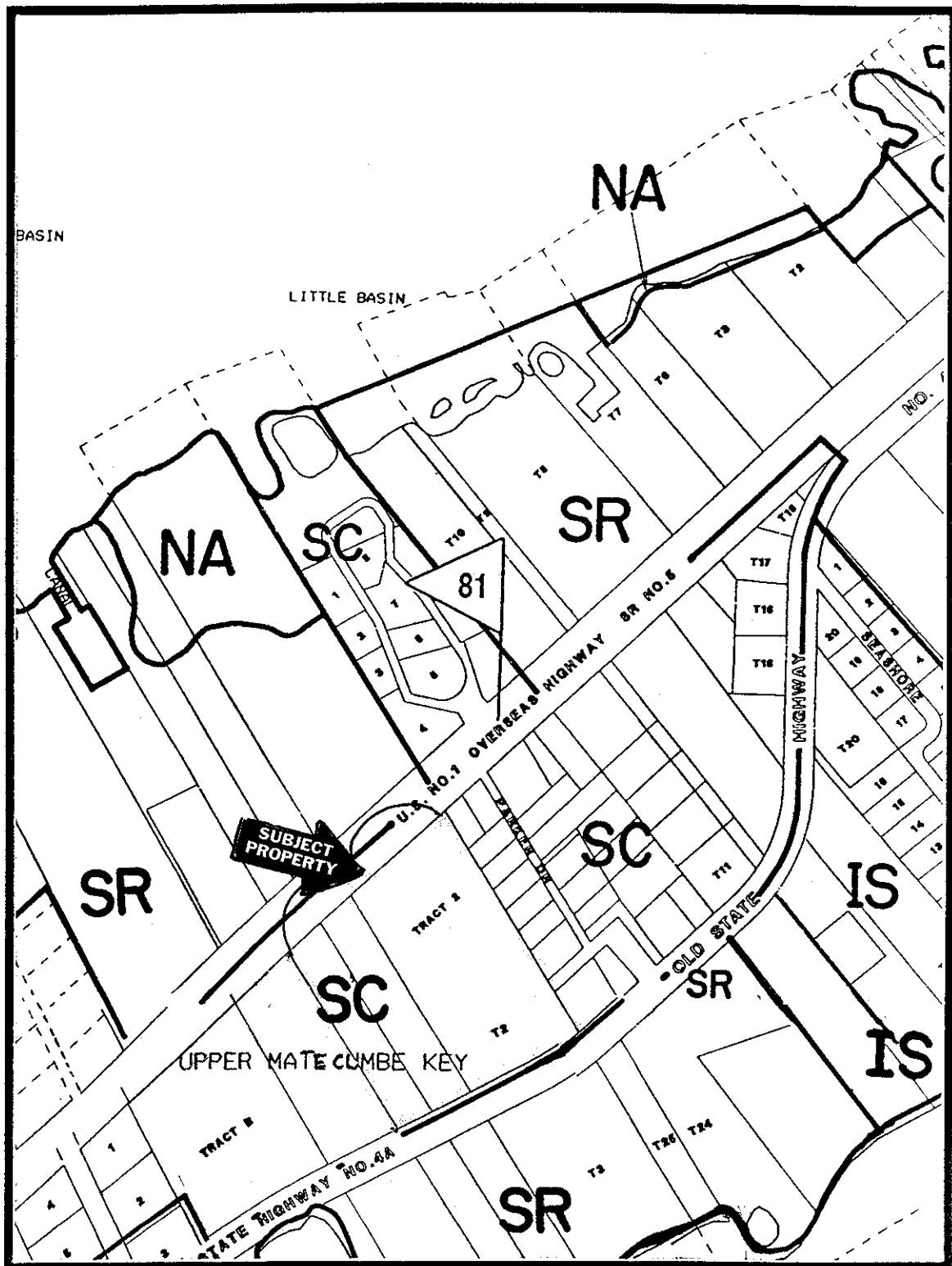
The subject property was originally constructed as a single family house in 1973 and subsequently converted to a tennis club facility comprised of pro-shop and residential unit plus

the addition of tennis courts, practice court and other site improvements located on Parcels "B" and "C" of the subject site which contain approximately 1.5 acres of land area. The remaining land area, Parcel "A" contains 2.9 acres of unimproved land which has been partially cleared after a few years of obtaining the necessary approvals from governmental agencies. The property owner purchased the property in 1996 with plans to construct a club house/health club/snack bar building, seven affordable housing units, a competition size swimming pool, water slide, water slide pool, changing areas, sewer treatment plant, and parking lots on Parcel "A" of the subject property. Due to the regulatory climate and changing regulations, the parcel could not be developed and the owner held the property.

Recently, the owner did acquire some potential development approvals by the designation of existing covered areas which can be replaced and/or developed in the future. The purpose of this report is to evaluate the existing improvements and properties. Therefore, the subject's proposed conversion and further development is considered beyond the scope of this report and analysis.

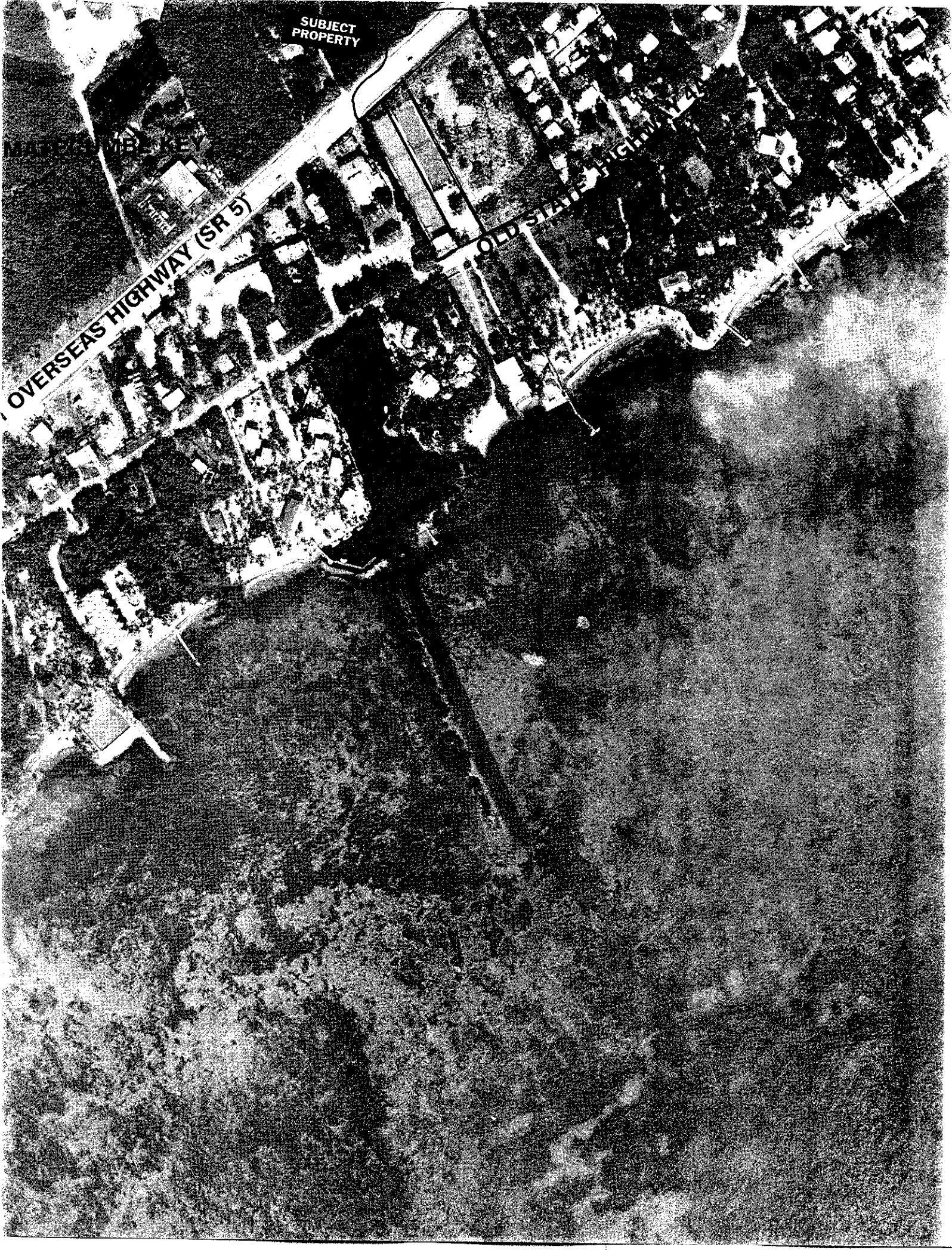
According to the owner, the tennis courts are leased for \$1,500.00 per month on an annual basis to a third-party. This lease is verbal. The lease does not provide a return to the owner for the overall site; however, it does supplement the owners operation, which is typical for similar owner-occupied properties.





Mile Marker 81 Island Upper Matecumbe

Property WetNet (Tropic Leisure Recreation Development, Inc.)



SUBJECT
PROPERTY

MADISON, MISSISSIPPI

OVERSEAS HIGHWAY (SR 5)

OLD STATE HIGHWAY 44